

ROTH & ROTH, LLP

192 LEXINGTON AVENUE, SUITE 802, NEW YORK, NEW YORK 10016
ROTHANDROTHLAW.COM T: (212) 425-1020 F: (212) 532-3801

July 2, 2025

VIA ECF

Hon. Mark J. Pedersen
United States Magistrate Judge
2720 U.S. Courthouse
100 State Street, Rochester, NY 14614

Re: *Smith v. City of Rochester et al*, 23-cv-6162 (CJS)(MJP)

Dear Judge Pedersen,

The parties jointly write to respectfully request (1) a temporary stay of the deadlines in the current Scheduling Order (ECF Doc. No. 30), and (2) that the Court schedule a settlement conference at its convenience, preferably for a date in August or September 2025.

Because of counsel's trial schedules, the delay in defendants' obtaining and producing the Article 75 transcripts, and Plaintiff's ongoing medical treatment through the workers' compensation system, the depositions of Plaintiff Lekia Smith and Defendant Officer LoTempio have not yet been conducted. However, the parties have stipulated and agreed to conduct both depositions prior to any settlement conference with the Court. Additionally, as previously stated, Plaintiff's medical treatment is ongoing, and updated medical records will be supplied to Defendants prior to the anticipated settlement conference. These depositions and updated medical records are necessary to properly assess the value of the case and to prepare for a productive conference.

The parties have already engaged in meaningful and productive settlement discussions and are optimistic that, with the benefit of the two depositions, a Court-supervised settlement conference will be fruitful.

Accordingly, the parties respectfully request that the Court stay the deadlines set forth in the current Scheduling Order (ECF No. 30) and schedule a settlement conference, with the understanding that the parties will complete both depositions in advance of that date.

Thank you for Your Honor's consideration. Should the Court have any questions or concerns, please do not hesitate to contact me.

Respectfully Submitted,

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Elliot Dolby Shields